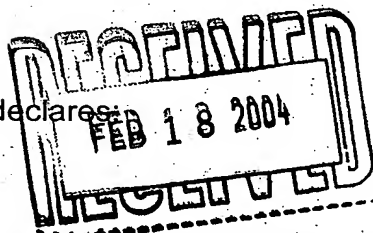


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Folker Lieb  
Serial No. : 10/017,695  
Filed : December 14, 2001  
For : ALKYL DIHALOGENATED PHENYL-SUBSTITUTED  
KETOENOLS USEFUL AS PESTICIDES AND HERBICIDES  
Group Art Unit : 1624  
Examiner : T. Truong

DECLARATION

Mr. Ulrich Kniehase hereby declares:



- that he is an agronomist having studied at the Hoehere Landbauschule Herford, Germany;
- that he received his diploma's degree in agriculture at the Hoehere Landbauschule Herford, Germany in 1965;
- that he entered the employ of Bayer in 1965;
- that he has specialized in plant protection (entomology);
- that the following tests have been carried out under his direction.

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LA 31023-US-02

### Example

#### Plutella test

Solvent: 7 parts by weight of dimethylformamide

Emulsifier: 2 part by weight of alkylaryl polyglycolether

To produce a suitable preparation of active compound, 1 part by weight of active compound is mixed with the stated amount of solvent and emulsifier, and the concentrate is diluted with emulsifier-containing water to the desired concentration.

Cabbage leaves (*Brassica oleracea*) are treated by being dipped into the preparation of the active compound of the desired concentration and are infested with larvae of the diamond-black moth (*Plutella xylostella*) as long as the leaves are still moist.

After the specified period of time, the mortality in % is determined. 100 % means that all the caterpillars have been killed; 0 % means that none of the caterpillars have been killed.

In this test, for example, the following compounds from the preparation examples show a superior level of activity compared to the prior state of the art:

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# Table

plant damaging insects  
Plutella-test

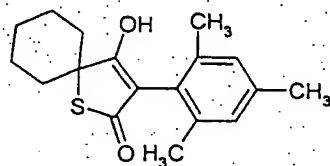
active compound

active compound

concentration in ppm

mortality

in % after 6d

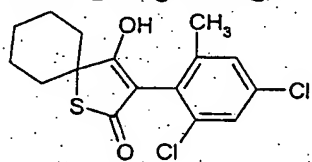


1000

83

known from US 5,945,444

Ex. I-3-a-3



1000

100

according to the invention

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The undersigned declarant hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2004-01-09  
Date

Ulrich Kniehase  
Ulrich Kniehase

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